

City Council Special and Regular Meetings, August 14, 2001

Twin Pines Senior and Community Center, 1223 Ralston Avenue

SPECIAL MEETING:

STUDY SESSIONS - 6:30 P.M.

Presentation by San Mateo County Health Department, Household Hazardous Waste Program.

Mr. Casey and Ms. Hiestand , San Mateo County Public Health and Environmental Protection Division, explained the Countywide programs for collection of household hazardous waste, small quantity generator waste, latex paint, used motor oil, and filters. They explained that they operated 120 collection events, in 9 cities in Year 2000. Mr. Casey stated that over 237 tons of hazardous waste was diverted from the landfill, and 24,000 gallons of latex paint was recycled and given away. They explained that fluorescent tubes, mercury thermometers, household batteries and CRT Monitors and TVs were no longer accepted in the landfill, so they have started a program to accept these items. Mr. Casey explained that part of their operation would be moving to Tower Road, to accommodate more residents. **Ms. Hiestand** explained that the motor oil recycling program had receiving stations at auto repair shops, and Kragen's auto store for the convenience of the residents.

Adjournment at this time, being 6:45 P.M. this meeting was adjourned.

Meeting Tape Recorded and video taped

Tape No. 501

Kathy Kern

Belmont City Clerk

Update on proposed Bishop Road Subdivision Project. (Agape Site)

Community Development Director Ewing explained that the purpose of this project review was to give the applicant preliminary feedback. He said the focus should be on the proposed use for the site.

C. Rianda recused herself from the discussion because she lives 300 ft from the project.

Principal Planner de Melo explained that the applicant was proposing to demolish the existing Agape Center Church and subdivide the property into ten 10,000 sf. single family lots at 2007 Bishop Road. He said the plans included an open space corridor and a conservation easement. He said if the density standards were applied, 7 homes would be allowed for this site.

Mr. Chu and Mr. Ponterio of LTI Engineers, Burlingame, made a presentation regarding a 10 house proposal on the former Agape church site .

Mr. Williams, 1910 Bishop Road, spoke in favor of the project, stating that it would generate less traffic and increase home values in the area. He distributed a letter with 66 signatures in support of the project.

Ms. Ahmadi, 2012 Bishop Road, expressed concerns about the project especially about the impact on the city's sewer system. She said she would like the homes to be more compatible with the homes in the neighborhood and felt that the open space that would be deeded to the City would be unusable. Ms. Ahmadi said she would like the two developments proposed for this area to coordinate their efforts to create a larger open space area.

Mr. Dentler, 2608 Wakefield, Director, San Juan Preservation Trust, requested that the Council bring the outdated open space standards current with the rest of the region. He said the current open space plan was adopted over 18 years ago, and does not fit with today's traffic or population. He noted that the Park and Recreation standards were 25% under par with today's standards. Mr. Dentler stated that more homes would siphon off city resources, and he would like the Council to consider down zoning the remaining 50% of the undivided land in the San Juan Canyon to protect the open trails plan, property values, and views. He suggested that stricter slope densities be considered. Mr. Dentler asked the Council to listen to the residents and vote for change now.

Mr. Bullock, 1912 Bishop Rd. stated his concerns about the sewer infrastructure in this area. He said the sewer was at capacity now and could not handle any more construction. He said Marsten Road needed major reconstruction and could not handle any more traffic.

Mr. Jones, 3627 Hillcrest, President, Plateau Skymont Neighborhood Association, spoke against the proposed 10 home project. He said the number one concern, of the surveyed Association members, was development in the San Juan and Agape areas. He urged the Council to consider that the infrastructure in this area was inadequate to support any more construction. Mr. Jones asked that the residents that had lived here for the last 30-40 years be considered. He said it was not right to have these residents have to move just to accommodate more development in this neighborhood.

Community Development Director Ewing stated that this was not an application, but a concept for comments only. He said comments should focus on whether the proposed use was appropriate for this site.

In response to C. Warden, Community Development Director Ewing stated that the institutional use would be abandoned in six months, if no application for such a use was forthcoming.

Community Development Director Ewing stated that the single family use would bring the site into conformance with the zoning for the site.

C. Warden stated that he would like to change the slope densities for HRO-1 zones and look at one unit per 10 acres. He said he would not like to see 7-10 houses on this site.

C. Cook stated that she thought the open space plan should be updated along with the General Plan. She said the infrastructure was a concern and did not want to overload the system with more than 7 homes. She said these steep lots were a concern along with the design of the homes, which needed to be redesigned.

C. Wright stated he could support single family homes. He said he thought the density should be less than seven homes at this location.

C. Hahn explained that as a member of the South Bayside System Authority she was hoping that the discharge permits would be held up, so that construction would have to be halted in Belmont. She said the permits were renewed however. C. Hahn stated that she was a proponent of low density and would like to keep the construction to a minimum.

C. Warden asked if it would be appropriate for the Planning Commission look at slope density for HRO.

Community Development Director Ewing suggested that this be added as an item #9 on the agenda for Council direction.

Adjournment, at this time being 7:15 P.M., this study session was adjourned.

Kathy Kern

Belmont City Clerk

Meeting Tape Recorded and video taped.

Tape No. 501

REGULAR MEETING - 7:30 P.M.

ROLL CALL

COUNCILMEMBERS PRESENT: Cook, Warden, Wright, Rianda, Hahn

COUNCILMEMBERS ABSENT: None

Staff Present: City Manager Kersnar, Assistant City Manager Rich, Deputy City Attorney Rubens, Community Development Director Ewing, Public Works Director Curtis, Finance Director Fil, Police Chief Janke, Human Resources Director Dolan, Fire Chief Jewell, Principal Planner de Melo, IT Manager Harnish, City Clerk Kern

REPORT FROM CLOSED SESSION

Mayor Hahn reported that at the Closed Session held on June 12, direction was given, but not action was taken.

SPECIAL ORDERS OF THE DAY/PRESENTATIONS

Introduction of Assistant City Manager Daniel Rich.

City Manager Kersnar introduced Mr. Rich and welcomed him to the City.

Mr. Rich stated he was looking forward to his new responsibilities.

PUBLIC/COUNCIL COMMENTS

Ms. Gandolfi, 2423 Casa Bona, thanked the Public Work's Department for fixing Palm Avenue so promptly.

AGENDA AMENDMENTS

Mayor Hahn announced 4-L tabled (Lindstrom contract); 4-M (separate consideration- Red Zone Waltermire; and 4-R; separate consideration - Arco appeal).

CONSENT CALENDAR

Approval of meeting minutes: Special and Regular Meeting June 26, 2001.

Approval of Warrant List Dated: July 20, 2001 in total amount of \$276,806.62 and dated July 26, 2001 in total amount of \$1,006,601.73 and dated August 3, 2001 in total amount of \$695,838.23.

Written Communication 1). Rec. 7/23/01 Petition of PG&E for Modification of D.00-07-050.

Motion to approve Claims Management Report. (None)

Motion to waive reading of Ordinances.

Resolution No. 9053 authorizing Grant Agreements with Belmont Chamber of Commerce; Belmont/Redwood Shores Elementary School District; C.A.L.L. Primrose Center; Center for Domestic Violence Prevention; Criminal Justice Council of San Mateo County; Human Investment Project; Kollage Community School for the Arts; Peninsula Policy Partnership; Peninsula Conflict Resolution Center; San Mateo County Historical Association; San Mateo County Jobs for Youth; Shelter Network and Sustainable San Mateo County totaling \$112,500.00.

Resolution No. 9054 approving the Purchase of a Trimble Pathfinder Pro XR GPS Unit with expanded memory, associated training and software support from GeoLine Positioning Systems, Inc., for an amount not to exceed \$14,755.40.

Resolution No. 9055 Accepting Dedication of Street Right-of-Way from Immaculate Heart of Mary for Alameda De Las Pulgas and Ralston Avenue.

Resolution No. 9056 approving the purchase of one Toro Mower for the Parks and Recreation Department from Turf Star for an amount not to exceed \$26,707.32.

Resolution No. 9057 approving an annual Professional Service Agreement with EDCCO Group for an amount not to exceed \$8,360 for Inspection, Maintenance, Repair and Staff Training in the operation of the Sanitary Sewer Pump Station Telemetry Control System.

Resolution No. 9058 accepting Work, Approving Change Order No. 1, and Authorization to Issue a Notice of Substantial Completion for Arbor Avenue Sewer Repair, City Contract No. 435, Casey Construction.

TABLED Resolution approving a Professional Services Agreement with Lindstrom Co. for TV Inspection Services and Urgent Line Repair on an On-Call Basis, FY 2001-2002 in an amount not to exceed \$154,000.

Resolution No. 9059 approving a Permanent Encroachment Agreement for the Construction of a Keystone Retaining Wall and a Staircase within the Public Right-of-Way at 2706 Newlands Avenue (Swaggert; APN 043-263-190).

Ordinance No. 966 amending Ordinance 360 (The Zoning Ordinance), Section 7.2 regarding Library Uses in the Agricultural (A) Zone. (2nd reading and adoption).

Ordinance No. 967 approving a Zone Change from R-3 Multi-Family Residential to Planned Development (PD) Zoning to incorporate a Conceptual Development Plan for Construction of a 52-Unit Townhouse Residential Development for Summerhill Homes at 2440 Carlmont Drive. (2nd reading and adoption).

Ordinance No. 968 approving a Zone Change for Construction of Replacement South County Fire Authority Station No. 14 at 911 Granada Street and 601 Masonic Way. (Appl. No. 01-0071). (2nd reading and adoption).

Resolution No. 9060 approving the Traffic Calming Plan for Hastings Drive and approving the Purchase of Material for the construction of the trial traffic calming installation for an amount not to exceed \$12,000.

Consent Calendar adopted as amended. Moved by C.Rianda, seconded by C.Cook, and approved unanimously, by roll call vote.

RESOLUTION CONSIDERED OFF THE CONSENT CALENDAR

Consideration of Resolution approving Establishment of a Red Zone (No Parking) along the North side of Waltermire Street at Elmer Street.

Public Works Director Curtis stated that staff was recommending this Red Zone because of the unsafe condition that exist when vehicles turn onto westbound Waltermire from Elmer Street. He said this would widen the lane so that emergency vehicles could access the road.

Ms. Scott, 1161 Elmer Street, expressed concern about the dangerous drivers that speed down Elmer and Waltermire. She requested consideration for residents who cannot park in front of their homes because cars park on the street all day. She also stated that the street cannot be sweep, because of the cars parked there all day. Ms. Scott requested that the City consider having the hedge on the corner trimmed for improved sight distance and safety for cars turning the corner.

C. Warden asked if there could be increase enforcement for the speeders in this area.

C. Rianda asked if the Traffic Safety Committee could look at 2-hour parking enforcement. Public Works Director Curtis stated that he would look into a approach to move cars for street cleaning.

Action: on motion by C. Wright, seconded by C. Rianda, and approved unanimously, by show of hands to adopt:

Resolution No. 9061 approving Establishment of a Red Zone (No Parking) along the North side of Waltermire Street at Elmer Street.

Consideration of Resolution denying the appeals of Mr. Vanderslice and Ms. Lopez and upholding Planning Commission decision to approve a conditional use permit and design review for the reconstruction of the Arco Gasoline Service Station at 470 Ralston Avenue.

Community Development Director Ewing explained that at the last meeting the public hearing was closed. The staff was directed to bring a Resolution back denying the appeal and upholding the decision of the Planning Commission, with an additional condition. He explained that staff was also directed to respond to the notification procedures conducted by other agencies regarding the site, and various other issues, including cleanups of toxic or hazardous materials. Community

Development Director Ewing reported that the three agencies that had been contacted had responded and the information was included in the report.

Public Works Director Curtis stated that they had been talking to the Arco engineers regarding the circulation at the Hiller intersection. He said he would like to meet with the neighbors to discuss some options for the circulation, and return with a concept in October.

Deputy City Attorney Rubens explained that the Public Hearing had been closed, but testimony could be taken at this time.

C. Cook stated for the record that she had been absent at the last meeting, but had read the reports and viewed the video and felt she would be able to vote on this matter.

Mr. Lawhern, 408 Hiller Street, Sterling Downs Neighborhood Association, said it was apparent that there were three areas of concern: air quality, contamination, and spillage on the ground. He said from all he had read, the County never notified anyone about the original spill, and neither did the applicants. He said it was not clear what was going to be cleaned up, and how the neighbors homes would be handled. Mr. Lawhern stated that he would like the Hiller Street issue to be reviewed by the City Council. He said the neighborhood did not want four lanes in that area to impact their neighborhood. He said he was also against taking out the sidewalk on Granada, because it would turn the street into an alley.

Mr. Vanderslice, 904 Hiller Street, expressed concern because he has not heard back from the City on his request for information over two weeks ago.

Mayor Hahn requested that the City Attorney respond to this concern as soon as possible.

C. Rianda stated that she would like to have the Mayor write a letter to the Environmental Health Department at the County of San Mateo to communicate our disappointment about the lack of notification regarding this spill, and request that they review their notification process to make sure the City and the residents are notified.

Council concurred that a letter be written and signed by Mayor Hahn.

Action: on motion by C. Cook, seconded by C. Rianda, and approved on a vote of 4-0, by show of hands, (Hahn abstained), to adopt:

Resolution No. 9062 - denying appeals from Richard Vanderslice and Dianna Lopez and upholding the decision of the Planning Commission to approve a conditional use permit and design review for the reconstruction of the Arco Gasoline Service Station at 470 Ralston Avenue. (Apl. No. 040-316-010)

PUBLIC/HEARINGS

Public Hearing to consider amendment to the Belmont Zoning Ordinance (Ord 360) Section 5.4.1 & 5.4.2 regarding Auto Sales and Similar Uses in the Highway Commercial (C-3) Zoning District. CEQA Status: Exempt (CEQA Guidelines Section 15308), City of Belmont (Applicant).

Community Development Director Ewing explained that this zoning amendment would require a Conditional Use Permit for auto sales and related uses in the Highway Commercial (C-3) zone.

In response to C. Cook, Community Development Director Ewing stated that if a business was currently doing business in the C-3 zone, it would be grandfathered in and allowed to continue. If there was a change in ownership, and the business was vacant for 90 days, it would lose that status.

Mayor Hahn opened the Public Hearing.

On motion by C. Cook, seconded by C. Wright, and approved unanimously, to close the public hearing.

Action: on motion by C. Rianda, seconded by C. Wright, and approved unanimously, by show of hands to:

Introduce ordinance amending Ordinance 360 (The Zoning Ordinance), Sections 5.4.1 and 5.4.2 regarding Auto Sales and Similar uses in the Highway Commercial (C-3) Zone, waive further reading, 2nd reading and adoption on 8/28.

Public Hearing to consider amendment to the Belmont Zoning Ordinance (Ord. 360) Amendment to Section 4.7.13 regarding Floor Area Ratio Exceptions (Elimination of Floor Area Exceptions in HRO Zones)

Community Development Director Ewing stated that this amendment would eliminate the use of Floor Area exceptions in the HRO zones. He said the Planning Commission decided that eliminating the exceptions process from the HRO zone would improve the City's control over hillside expansion, and support its desire to retire hillside lots.

Mayor Hahn opened the public hearing.

On motion by C. Wright, seconded by C. Warden, and approved unanimously, to close the public hearing.

Action: on motion by C. Rianda, seconded by C. Cook, and approved unanimously, by show of hands, to:

Introduce Ordinance recommending to the City Council an amendment to the Zoning Ordinance (Ord. 360) regarding exceptions in the HRO Zones; waive further reading, 2nd reading and adoption on 8/28.

Public Hearing to consider an amendment the Belmont Zoning Ordinance (Ord. 360) regarding the definition Of "Floor Area, Gross". The amendment to Section 2.60 of Ordinance 360 (Zoning Ord.) will consider modifying the "floor area, gross" definition to delineate covered decks, porches, patios, carports and other covered areas to not count as dwelling floor area.(Appl. No. 2001-0026)CEQA Status: Exempt (CEQA Guidelines Section 15308) City of Belmont (Applicant)

Principal Planner deMelo explained that this amendment would eliminate covered decks, porches, patios, carports and other covered areas from counting as dwelling floor area. He said this would be a better guide for single family residential development because it would allow uncovered areas to be counted as gross floor area, when proposed for conversion, to habitable space.

Mayor Hahn opened the public hearing.

On motion by C. Warden, seconded by C. Wright, and approved unanimously, to close the public hearing.

Action: on motion by C. Cook, seconded C. Warden, and approved unanimously, by show of hands to:

Introduce Ordinance amending Section 2.60 ("Floor Area, Gross" Definition) of the Belmont Zoning Ordinance (Ord. 360). waive further reading, 2nd reading and adoption on 8/28.

OLD BUSINESS

Consideration of Resolution approving a Grading Plan and Single Family Design Review applications to construct three single family homes located at 2594, 2596, and 2598 Coronet Boulevard incorporating a Ralston Avenue vehicular/pedestrian access plan consistent with action taken by the City Council on July 24, 2001.

Principal Planner deMelo explained that this was the project the Council reviewed previously with an alternative vehicular/pedestrian access plan. He stated that the new dwellings would not be subject to strict setback requirements now that the direct access was taken from a public street. Planner deMelo stated that the developer had agreed to a modification to remove a pedestrian stairway connection between Coronet and the roadway. He noted that Mr. Ramirez, the project appellant, had submitted a letter withdrawing his objection.

Action: on motion by C. Wright, seconded by C. Cook, and approved unanimously, by show of hands to adopt:

Resolution No. 9064 approving a Grading Plan and Single Family Design Review at 2594, 2596, and 2598 Coronet Boulevard (Appl. No. 99-1087)

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Consideration of Resolution regarding policy on Neighborhood Outreach Program.

Community Development Director Ewing explained that this neighborhood outreach strategy was developed for projects subject to a public hearing. He said the four issues included: Strategy for contacting the neighbors; Tone of cooperation and flexibility; Applicability to projects; and, Timing for submitting a plan to the City. Staff recommends establishing the flexible approach. He said they had prepared an Applicant's guide and a form to be used for this outreach program. He said this information would be reported to the Planning Commission when applicants appear before the Commission.

Council concurred that this flexible approach was user friendly. They requested that this policy be revisited in a year to see how it was working.

Action: on motion by C. Warden, seconded by C. Rianda, and approved unanimously, by show of hands to adopt:

Resolution No. 9065 establishing a Neighborhood Outreach Requirement for certain Development Projects requiring Planning Commission Approval.

Consideration of Motion to continue the Award of Contract for the City Hall/Police Facility Retrofit, City Contract No. 415.

Public Works Director Curtis stated that he would like to continue this item until August 28th for a full analysis of why the bids came in 40% above the estimate. He said that staff was hoping to bring a set of options to the meeting on September 11th with a recommendation on some alternative approaches.

City Manager Kersnar explained that if the Council felt they needed more information after hearing the report on the 11th, they would have two more weeks before the bids had to be rejected.

He said the staff hoped to reconceptualize the project to come up with a plan within the budget allotted.

C. Cook said she would like staff to factor in the loss of income on the City facilities that had been set aside for office space.

Council concurred they would like to have this information.

City Manager Kersnar stated that not only should the loss of revenue from the Lodge Building be factored in, but the loss of rental from the offices at City Hall.

C. Rianda stated she hoped that the staff would not consider going back and starting from scratch on this project.

City Manager Kersnar stated that there should be enough information available to move forward with options on this project. He said he hoped that one of the options would be that we could come up with an operational plan that addresses the Police needs sooner, rather than later.

Action: on motion by C. Wright, seconded by C. Cook, and approved unanimously, by show of hands, to continue award of Contract for the City Hall/Police Facility Retrofit, City Contract No.415, until August 28th.

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BOARD, COMMISSION, COMMITTEE UPDATES, AND STAFF REPORT

Discussion and direction regarding designation of Voting Delegate for League Annual Conference in Sacramento, 9/12/-9/15, 2001.

Council concurred to appoint City Attorney Savaree as the voting delegate for the League Annual Conference in Sacramento.

Discussion and direction regarding appointment of Planning Commissioner to replace Ms. Purcell, for a term to expire March, 2003.

Council directed City Clerk Kern to advertise for candidates for the Planning commission vacancy and set the date of September 21 for the deadline for accepting applications.

MATTERS OF COUNCIL INTEREST/CLARIFICATION

Discussion and direction regarding an Initiative Measure to protect one acre parcel for Open Space at the Ross Woods Project. (Rianda)

C. Rianda stated that she would like to suggest a ballot measure to dedicate City owned land to park playground, recreation or open space currently zoned in the City. She explained that this land designation could only be changed by a vote of the people. She gave a copy of an ordinance from San Mateo to Deputy City Attorney Rubens and asked if an analysis could be done to determine if there was interest to put on the ballot.

Council concurred to have a report prepared with suggestions for a procedure to protect our park land.

City Manager Kersnar stated that State Law was very specific and complicated, with multiple procedures involved, for the disposition of park lands. He said staff would do this analysis and return with a report.

Discussion regarding providing television coverage for a Candidates Forum. (Warden)

C. Warden explained that he thought a televised Candidates Forum, moderated by the League of Woman Voters would be valuable to the citizens to learn the issues and meet the candidates.

Following discussion, staff stated they would look into the legality and logistics of holding a televised Candidates Forum in the near future and report back to Council.

Discussion and direction regarding response to Belmont Heights Civic Association Newsletter. (Warden)

Following an explanation by C. Warden about the misinformation contained in this neighborhood newsletter, Council concurred that individual letters should be sent to correct incorrect statements made by the author.

ADJOURNMENT at this time, being 9:00 P.M. this meeting was adjourned.

Kathy Kern

Belmont City Clerk

Meeting Tape Recorded and Televised

Tape No.501